City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3017625

Applicant Name: Josh Johns, E. Cobb Architects, for Stone North LLC

Address of Proposal: 9510 Stone Avenue N.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story structure containing 83 residential units above 6,425 sq. ft. of office space. Parking for 18 vehicles to be provided within the structure. Existing structures are to be demolished.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)

Conditional Use Approval –Chapter 23.47A.006.A.3
Residential use within the C2 zone may be granted based upon the proposed use meeting standards enumerated in the Code.

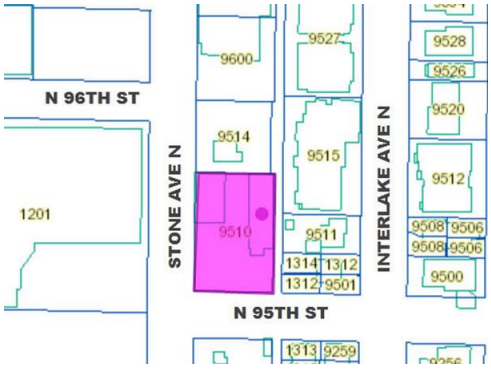
SEPA Environmental Determination – Chapter 25.05 SMC.

SEPA Determination: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND INFORMATION:



The rectangular corner site totals some 15,000 sq. ft., and slopes approximately 10 feet from the northwest corner to the southeast corner. The site faces onto Stone Avenue N. on the west and N. 95th Street on the south. The zoning of the site is C2-65 (Commercial 2 with a 65-foot height limit), as is the zoning of properties to the west, north and south of the site. Directly across the alley to the east the zoning is lowrise residential, LR3. Immediately to the

north of the site is a 6-story mixed-use building, primarily residential, of fairly recent vintage. To the west and further to the north are a number of commercial office buildings and storage facilities, most with minimal store-front glazing. Apart from the residential mixed-use building immediately to the north of the proposal site, most of the more recent residential development in the area has consisted of attached townhomes. There are older single-family homes north, south and east of the site as well. The site lies within the Licton Springs Residential Urban Village.

Licton Springs Park lies one and a half blocks due east of the site. Wilson Pacific elementary school, scheduled to be rebuilt and re-opened by the Seattle School system in the next two years, is located slightly more than a block due south of the proposed development. North Seattle Community College lies about a half mile east of the site.

The development site is currently occupied by a utilitarian commercial office building with both covered and uncovered storage. The existing structures on site will be demolished to make room for the proposed development.

Project Description

The goal is to construct a seven-story mixed use building with 83 residential units located above a ground floor comprised of approximately 6,425 square feet of commercial space. Parking for 18 vehicles will be located within the structure at grade and accessed off the alley to the east. A four-foot dedication will be required to widen the development side of the alley.

The project is not required to provide parking since it is located within a residential urban village, but 18 vehicle stalls will be provided at the ground floor level, accessed from the alley on the east. Parking for twenty-two bicycles will be provided in the parking garage. Private amenity areas would include a series of decks serving adjacent units.

Public Comment

The official public comment period for this proposal ended on December 12, 2014. The City received 3 written comments regarding the project. Each expressed concerns regarding the paucity of parking spaces being provided by the project, street parking expressed as already at a premium. Additional public comments were elicited at each of the Design Review meetings, but none were expressed, as is noted under the Design Review analysis discussed below.

ANALYSIS – DESIGN REVIEW

Early Design Guidance Meeting –September 15, 2014

Architects' Presentation

The applicant presented three alternative development schemes for the site (you may check the alternatives in the on-line packets). The third and preferred alternative was for 7 stories of residential units above grade, with at grade commercial space and parking located behind the commercial space, within the structure. Extensive modulation on both the Stone Avenue N. and alley facades, as well as the N. 95th Street façade reduced the perceived mass on each of those fronts while maintaining the impression of one coherent building form (see pp.14-15 in the packet).

The Board complimented the design team on the quality of the packet and the analysis provided there. The way the massing of the building was proposed to broken up made sense, according to the Board, and was on the right track. The residential entry on N. 95th Street seemed appropriate to the Board.

Among the issues identified by the Board were the following:

- The question of the current viability of commercial space along both Stone Avenue N. and N. 95th Street.
- The need for a four-season shadow study to assess impacts on adjacent residential buildings.
- The need for a diagram showing the alignment or non-alignment of proposed windows on the north façade with those of the existing mixed-use building to the north, and also a study to show the relationship between windows and decks along the alley façade as they overlooked the townhomes across the alley.
- More details were needed regarding the proposed wall-climbing plantings along the alley, proposed for the parking garage wall.
- See the "opportunity for planting at concrete podium roofing between the residential setback and the alley" (p.15); the "opportunity" should be resolved by the time the project is returned for a Recommendation Meeting.
- The Board would expect to see a fuller and more detailed landscape plan at the time of the Recommendation Meeting.
- The rendering on the bottom half of page 16 in the packet indicated a chamfered entry at the corner of Stone Avenue N. and N. 95th Street, while other renderings indicated a recessed rectilinear entry; the location of the entry should receiver fuller study and some resolution. The resolution should carefully evaluate the relationship and potential design impacts between that commercial entry and the proposed residential entry on N. 95th Street.
- The opportunity for more overhead weather protection along N. 95th Street should be explored.
- There was something of an awkwardness the way the commercial space at the southeast corner extended into the one-story element at the alley and the way it expressed itself through the first floor south façade; this could benefit from a closer look.
- The Board expressed some hesitancy to wholeheartedly embrace the choices in the sizing, access to, and articulation of the commercial spaces along each block front, due to some skepticism regarding their viability. The Board wondered whether greater adaptability in the appointment of the spaces should be warranted.

The applicant noted that none of the schemes would require departures from development standards. See the packet presented at the Early Design Guidance Meeting.

The packet includes materials presented at the meeting, and is available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Address: Public Resource Center
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

Public Comment

There were no public comments at the early design guidance meeting.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines and Neighborhood guidelines (as applicable) of highest priority for the project.

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-B Sunlight and Natural Ventilation

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.
natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.

CS1-E-2. Adding Interest with Project Drainage: Use project drainage systems as opportunities to add interest to the site through water-related design elements.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

CS2-D Height, Bulk, and Scale

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-C-3. People-Friendly Spaces: Create an artful and people-friendly space beneath building.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-C Parking and Service Uses

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-C Design

DC3-C-2. Amenities/Features: Create attractive outdoor spaces suited to the uses envisioned for the project.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DEVELOPMENT STANDARD DEPARTURES

At the time of the Early Design Guidance no departures were requested**.**

Board Direction

At the conclusion of the EDG meeting, the Board recommended 5-0 the project should move forwards to MUP Application in response to the guidance provided at this meeting.

At the Recommendation Meeting the Board noted they would expect to see:

- A study of adjacencies of windows on the north façade vis-à-vis those on the building to the north.
- A complete Landscape Plan and Green Factor worksheet.
- A four season pertinent hour shadow study.
- A Materials Board.
- A Lighting Plan.

FINAL RECOMMENDATION MEETING: March 2, 2015

Design Presentation

The applicants presented a proposal with the following features augmenting the preferred option shown at the Early Design Meeting on September 15, 2014.

- Four recesses in the building massing added to exterior wall area and added opportunities for light and ventilation, as well as breaking up the overall massing.
- The center mass on the east side of the structure was stepped down one story below the roof elevation to reduce the mass and lessen shading on neighboring townhomes to east.
- The residential entry on N. 95th Street is clearly accentuated by the building massing, canopy and materials.
- The southern elevation includes street trees, glass and steel awnings at the street level and 18 inch weather and sun awnings above all residential building.
- On the west, the residential units are shaded by their exterior, recessed decks, which include bar grating guardrails.
- To address the privacy of units in the neighboring building to the north, the proposed structure is set back 6-feet from the property line, allowing for a total of 12 feet between structures; windows and uses have also been studied and offset.
- The three large commercial spaces have fully accessible and recessed entries; while currently designed as "office" spaces, the spaces have been designed to be equipped and capable of resolution into other and smaller retail configurations in the future.
- The entry into the commercial space at the southwest corner has been studied and given a rectilinear expression rather than chamfered one, in keeping with "box" motif.
- Additional units have been interjected into the otherwise inordinately high ceiling space of the parking area due to the downward slope of the site to the alley, thereby resolving the "awkwardness" earlier observed regarding the southeast corner of the building.

Additionally, the design team provided material samples requested by the Board at the EDG meeting.

Packets that include materials presented at both the Early Design Guidance and Recommendation meetings are available online by entering the project number at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packets are also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

Public Comment

Like at the EDG meeting, there were no public comments at the Recommendation meeting.

Board's Deliberations

The Board discussed the applicants' responses to those issues identified at the EDG meeting, in particular those relating to the orientation, viability and adaptability of the proposed commercial spaces, the proposed landscape plan, responses to residential neighbors, and material pallet. The Board members were satisfied that the design team had adequately addressed their concerns and complimented them on the thoroughness and quality of their responses.

As at the EDG meeting, no departures from development standards were requested.

At the conclusion of the RECOMMENDATION meeting, the Board recommended 5-0 that the design be approved as presented.

ANALYSIS & DECISION- DESIGN REVIEW

The design review process prescribed in Section 23.41.014F of the Seattle Municipal Code and describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board recommendation:

a. Reflects inconsistent applications of the design review guidelines; or
b. Exceeds the authority of the Design Review Board; or
c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
e. Conflicts with the requirements of state or federal law.

Director's Analysis and Decision

Five members of the Design Review Board provided recommendations (listed above) to the Director and identified elements of the Design Guidelines that would be critical to the project's overall success. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made at the Recommendation meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project as presented at the April 28, 2014 meeting would result in a design that best meets the intent of the applicable Design Guidelines. Therefore, the Director accepts the Design Review Board's recommendations and their approval of the design and **APPROVES the proposed design.**

ANALAYSIS – ADMINISTRATIVE CONDITIONAL USE

SMC Section 23.47A.006A.3 states that residential uses may be permitted in Commercial 2 (C2) zones as a conditional use subject to its relationship to major transportation systems and compatibility with surrounding areas. The Code states the following criteria:

1. The residential use generally should not be located in an area with direct access to major transportation systems such as freeways, state routes and freight rail lines.

2. The residential use generally should not be located in close proximity to industrial areas and/or nonresidential uses or devices that have the potential to create a nuisance or adversely affect the desirability of the area for living purposes as indicated by one of the following.

    a. The nonresidential use is prohibited in the NC3 zone.
    b. The nonresidential use or device is classified as a major noise generator; or
    c. The nonresidential use is classified as a major odor source.

3. In making a determination to permit or prohibit residential uses in C2 zones, the Director shall take the following factors into consideration.

    a. The distance between the lot in question and major transportation systems and potential nuisances;
    b. The presence of physical buffers between the lot in question and major transportation systems and potential nuisances uses;
    c. The potential cumulative impacts of residential uses on the availability for nonresidential uses on the availability for nonresidential uses of land near major transportation systems; and
    d. The number, size and cumulative impacts of potential nuisances on the proposed residential uses.

The site does not have direct access to major transportation systems such as freeways, state routes or freight lines. The Seattle Department of Transportation has designated Stone Avenue N. as a street. Although SR 99 (Aurora Avenue N), a major truck route, lies a scant two blocks to the west, the nearest connecting arterials are N. Northgate Way (N. 105th St) to the north and N.90th Street to the south. Although Interstate 5 lies approximately one half a mile to the east as the crow flies, entry to the freeway, north- or south-bound is a minimum of a mile and a half by connective roadways. The site is buffered from other major transportation routes by a mix of residential and commercial uses. There are no freight rail lines nearby.

Licton Springs Park sits a block and a half east of the site and lies just to the west of a swath of single family zoning that extends to the north and south. The alley east of the subject site marks the boundary of LR3 and LR2 residentially zoned properties that abut the single-family zone. The C2-65 zoned properties, which include the subject site and others extending to N. 100th Street to the north and N. 94th Street to the south and embrace either side of Aurora Avenue N, are occupied by a variety of uses. The mix of uses includes warehouses, retail stores, and light industrial, with expansive surface parking lots. The largest compilation of properties, situated between N. 97th Street and N. 100th Street, belong to Seattle City Light which has offices and parks utility trucks and stores materials serving the north area of the city. The Oak Tree Village, a two-square block mall with shops, grocery store and multiplex movie theatre, lies between N. 100th Street and N. 103rd Street and between Stone Avenue N. and Aurora Avenue N. The addition of residences would likely complement many of these businesses. A six story apartment building was built just north of the subject proposal site in 2006. The area east of the site and across the alley is zoned LR3 and has been built out in recent years with townhomes

The nonresidential uses in the vicinity of the subject property---office, retail, light industrial and storage are all permitted in the Neighborhood Commercial Three (NC3) zone. None of the nonresidential uses would be considered a major source of noise or odor. Few sources of potential nuisances in the vicinity exist to impact the proposed residential use. Predominant uses are multifamily, retail and office uses. In sum, the proposed development is not near non-residential uses that are anticipated to create a nuisance or adversely affect the desirability of the area for living purposes.

DECISION – ADMINISTRATIVE CONDITIONAL USE PERMIT

The proposed administrative conditional use permit is GRANTED.

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project exceeds the 12,000 square feet size threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, dated April 10. 2013. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist which was submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SM C 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part, "*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,"* subject to some limitations.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 4,500 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires and removal of debris and regulates obstruction of the pedestrian right-of-way.
- PSCAA regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor, and compliance with existing applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. For example, the Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes, and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, traffic, circulation and parking, noise, and greenhouse gases is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

Construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used. Section 22.170.200 of the Seattle Grading Code applies both to permanent and temporary protection of, and encroachment on, adjoining property during construction except as specifically limited. This includes the requirement to obtain agreements or easements authorizing encroachments on adjoining properties. Adjoining properties shall be protected from encroachment or collapse. Otherwise all grading and other land disturbing activity is limited to occur entirely within the site. Any application for grading or shoring must demonstrate full compliance with the Code.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The construction activities will require the removal of material from the site and can be expected to generate truck

trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips.

During demolition and construction, the existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks to minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires and removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction, whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases must be approved by SDOT, as must be any sidewalk or street closures with neighborhood notice and posting procedures specified.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. However, given the proximity of the site to existing residential uses, additional restrictions are warranted. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 a.m. to 6 p.m. and to Saturdays between 9 a.m. and 6:00 p.m. No construction will be permitted on Sundays. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition.

Greenhouse Gas Emissions

Construction activities, including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves, result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts — Use-Related Impacts

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (25.05.675.G) states that:

"…the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies…for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."

In addition, the Policy states that:

"A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."

The proposed development would proceed according to Land Use Code standards for the proposed zone. The development as a whole will be in keeping with the scale of development anticipated by the goals and policies for the existing zoning and the Comprehensive Plan. In addition, in approving the project, the Design Review Board gave particular attention to the height, bulk and scale relationship of the proposal to its surroundings. There is no evidence that height, bulk and scale impacts have been inadequately mitigated through the Design Review Board process. Therefore, no mitigation of height, bulk and scale impacts is warranted pursuant to SEPA.

Traffic and Parking

The proposed development is expected to generate increased vehicular traffic for both the commercial and residential uses. Peak volumes of residential traffic are expected to occur during typical peak hours of 6:00 a.m.-8:00a.m and 4:00p.m. to 6:00p.m. While these impacts may be adverse, they are not expected to be significant as they affect existing and future 2016 conditions. The project is close to transit and will provide 22 interior bike storage spaces to encourage alternatives to single occupancy vehicle use for the commercial use. No further mitigation through SEPA authority appears warranted.

As perceived by those making public comments on project impacts, competition for street parking is already keen. While many nearby businesses provide on-site parking for customers and employees, there may be spillover parking, primarily for employees. Likewise, although North Seattle Community College is located a good half-mile away, student parking clearly impacts the neighborhood streets west of the campus and pressures the availability of street parking in the general area of the proposal. While the new residential and commercial uses in the proposal may increase the pressure on locating easy street parking in the immediate area of the proposal, it does not rise to the level of being significantly adverse and further mitigation through SEPA authority is unwarranted.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

DECISION — STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21 C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21 C.030(2)(c).

CONDITIONS DESIGN REVIEW

Prior to Issuance of the Master Use Permit

1. The plan sets shall be updated to include color sheets of elevation views of each of the building's facades, a color landscape plan, and a color photograph of materials approved by the Design Review Board at the Recommendation Meeting on March 2, 2015.

Prior to Issuance of a Certificate of Occupancy

2. The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of March 2, 2015, except for any alterations made in response to the recommendations of the Board and incorporated into the plan sets re-submitted to DPD prior to issuance of the Master Use Permit. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project (Michael Dorcy, ph. (206) 615-1393; email michael.dorcy@seattle.gov). Inspection appointments with the Planner shall be made at least five (5) working days in advance of the inspection.

CONDITIONS – SEPA

Prior to Issuance of any permits to construct

3. Provide a Construction/Noise Management Plan for review and approval. The plan will address a parking plan for construction workers, any modifications anticipated for allowed hours of construction activities, anticipated sidewalk or street closures, and contact information and procedural plan for accepting possible complaints of neighbors regarding construction activities.

During Construction

4. The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction:

   The hours of construction activity not conducted entirely within an enclosed structure shall be limited to non-holiday weekdays between 7:00 a.m. and 7:00 p.m., and between 9:00 a.m. and 7:00 p.m. on Saturdays. All construction activities otherwise remain subject to the construction noise ordinance (SMC 25.08.425).

CONDITIONS—CONDITIONAL USE

None.

Signature: retagonzales-cupneutubby for Date: April 13, 2015
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

MMD:rgc
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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.